

EXHIBIT A

Received & Filed - Superior Court
LEWIS COUNTY, WASH

OCT 20 2017

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN
AND FOR THE COUNTY OF LEWIS

ROBERT COOPER and CRYSTAL
COOPER

Plaintiffs,

v.

PROVIDENCE HEALTH CARE
FOUNDATION d/b/a PROVIDENCE
CENTRALIA HOSPITAL; NORTHWEST
EMERGENCY PHYSICIANS, LLC.; and
LEWIS COUNTY COMMUNITY HEALTH
SERVICES d/b/a VALLEY VIEW HEALTH
CENTER

Defendants.

Cause No.: 17-2-0006921

PLAINTIFF'S SECOND AMENDED
COMPLAINT FOR MEDICAL
NEGLIGENCE

Plaintiff alleges:

1. **PLAINTIFF** - Plaintiff Robert Cooper is a resident of Washington.
2. **PLAINTIFF** - Plaintiff Crystal Cooper is a resident of Washington.
3. **DEFENDANTS BUSINESS ENTITIES** - Defendant PROVIDENCE HEALTH

CARE FOUNDATION is a business that was at the time of the occurrence involved in the ownership, management and/or operation of Providence Centralia Hospital, a hospital located at 914 South Scheuber Road, Centralia, Washington 98531. Defendant has been served.

1 Defendant NORTHWEST EMERGENCY PHYSICIANS, LLC, is a business that was at
 2 the time of the occurrence involved in the ownership, management and/or operation of MD
 3 services at PROVIDENCE CENTRALIA HOSPITAL. Defendant has been served.

4 Defendant LEWIS COUNTY COMMUNITY HEALTH SERVICES is a business that
 5 was at the time of the occurrence involved in the ownership, management and/or operation of
 6 Valley View Health Center Cascade, a healthcare clinic located at 2428 Reynolds Rd., Centralia,
 7 Washington 98531. Defendant may be served through its registered agent: Lewis County
 8 Community Health Services, 2690 N.E. Kresky Avenue, Chehalis, Washington, 98532.
 9

10 Venue is proper in Lewis County, Washington, pursuant to RCW 4.12.025.

11 **4. OCCURRENCE** - Plaintiff, Robert Cooper, sought treatment for severe back pain
 12 radiating down into his legs on December 17, 2015, at Providence Centralia Hospital. Defendant
 13 was made aware that Mr. Cooper had been to the emergency room for back and leg pain one
 14 week prior to this visit and that the pain had become worse over time and progressed from his
 15 back to his legs. Defendant Providence Centralia Hospital breached the standard of care on the
 16 occasion of this visit to that institution by failing to properly diagnose Mr. Cooper's condition
 17 and failing to do a radiographic scan; and did not recommend or facilitate follow up with a
 18 specialist, which would have easily detected the severe spinal stenosis that was causing severe
 19 radiating pain at that time.
 20

21 Based on information and belief, the physician assistant responsible for Mr. Cooper's
 22 negligent care was employed jointly by PROVIDENCE HEALTH CARE FOUNDATION d/b/a
 23 PROVIDENCE CENTRALIA HOSPITAL; and NORTHWEST EMERGENCY PHYSICIANS,
 24 LLC. Defendant NORTHWEST EMERGENCY PHYSICIANS, LLC, is responsible for the
 25 negligent care described in the preceding paragraph.
 26

1 Plaintiff, Robert Cooper, followed up with his primary care provider on December 21,
 2 2015, at Valley View Health Center Cascade, and was seen by Tracy Svoboda, ARNP, who
 3 diagnosed bilateral sciatica. Despite the presentation of progressing back and leg pain, Valley
 4 View did not order a radiographic scan, and did not recommend or facilitate follow up with a
 5 specialist, which would have easily diagnosed Mr. Cooper's severe spinal stenosis from which
 6 he was suffering from at the time. This failure is a breach of the standard of care.

7 The failure to diagnose Mr. Cooper's condition on the part of defendants directly led to a
 8 delay in treatment and a severe worsening of Mr. Cooper's condition, and led to the development
 9 of cauda equina and paralysis on December 26, 2015.
 10

11 **5. NEGLIGENCE** - The negligence of PROVIDENCE HEALTH CARE
 12 FOUNDATION d/b/a Providence Centralia Hospital, NORTHWEST PHYSICIANS, INC., and
 13 LEWIS COUNTY COMMUNITY HEALTH SERVICES d/b/a VALLEY VIEW HEALTH
 14 CENTER were a proximate cause of Robert Cooper's incomplete paraplegia, disability and other
 15 injuries resulting from negligence.

16 **6. DAMAGES** - Damages should be awarded to Plaintiff Robert Cooper for past and
 17 future pain and suffering, physical impairment, disability, loss of enjoyment of life, and past and
 18 future medical and custodial care, and past and future lost earnings and lost earning capacity, that
 19 was necessitated by the acts and omissions of Defendants.
 20

21 **7. DAMAGES** - Damages should be awarded to Plaintiff Crystal Cooper for loss of
 22 consortium.

23 WHEREFORE, Plaintiff prays for judgment against Defendants, for damages in the
 24 amount determined by the trier of fact, together with costs and interest as allowed by law,
 25 together with such further relief as the court deems just and equitable.
 26

1
2 DATED this 18th day of October, 2017.

3 Respectfully Submitted,

4
5 By 

6 Stephen Hornbuckle

7 WSBA #39065

8 Thomas Hornbuckle

9 THE HORNBUCKLE FIRM

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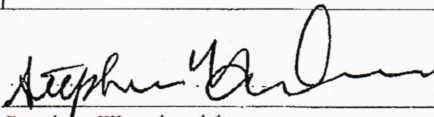
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned hereby certifies under penalty of perjury under the laws of the State of Washington that on the 18th day of October, 2017, at Bellevue, Washington, the foregoing was caused to be served on the following person(s) in the manner indicated:

Scott M. O'Halloran	VIA REGULAR MAIL	_____
Amanda K. Thorsvig	VIA CERTIFIED MAIL	_____
Fain Anderson Vanderhoef	VIA HAND DELIVERY	_____
Rosendahl O'Halloran Spillane, PLLC	BY FACSIMILE	_____
1301 A Street, Suite 900	VIA OVERNIGHT MAIL	_____
Tacoma, WA 98402	VIA ELECTRONIC	<input checked="" type="checkbox"/>
Attorneys for Defendant Providence	MAIL	
David J. Corey	VIA REGULAR MAIL	_____
Floyd, Pflueger & Ringer, P.S.	VIA CERTIFIED MAIL	_____
200 West Thomas Street, Suite 500	VIA HAND DELIVERY	_____
Seattle, WA 98119-4296	BY FACSIMILE	_____
Attorneys for Defendant NW Emergency	VIA OVERNIGHT MAIL	_____
Physicians, LLC	VIA ELECTRONIC	<input checked="" type="checkbox"/>
	MAIL	


Stephen Hornbuckle